



Korea, Republic of

Country Reports on Human Rights Practices - [2001](#)

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The Republic of Korea is governed by a directly elected president and a unicameral legislature. Kim Dae-jung was elected President in a free and fair election in December 1997 and was inaugurated in February 1998. The next presidential election is scheduled to be held on December 19, 2002. A free and fair National Assembly election was held in April 2000. The Constitution provides for an independent judiciary, and in recent years, the judiciary has shown increasing independence; however, several scandals in 1999 involving alleged illegal influence peddling and cronyism have damaged the image of prosecutors and judges. Allegations of malfeasance by the Prosecutor's Office surfaced late in the year.

Responsibility for maintaining internal security lies with the National Intelligence Service (NIS--formerly known as the National Security Planning Agency), the National Police Administration (NPA--formerly known as the Korean National Police), and the Defense Security Command (DSC). Legislation passed in 1993 bars the NIS and the DSC from involvement in domestic politics and grants the NIS investigative authority only in cases involving terrorism, espionage, and international crime organizations. The Government revised this law in 1996 to allow the NIS to investigate members of domestic organizations that are viewed as supporting the government of the Democratic People's Republic of Korea (North Korea). Some members of the police were responsible for occasional human rights abuses.

Following a sharp rebound in 1999 from an unprecedented financial and economic crisis, the country's economy grew by 8.8 percent in 2000, but growth declined to 2.5 percent during the year. The Government continued its reform program, with more progress made in reforming the financial and corporate sectors than in the labor market and public sectors. Unemployment remained under 5 percent. However, the country's economic growth was dependent on key export products, and weakness in the financial system left the economy susceptible to unpredictable external conditions. The country's population was 47,000,000.

The Government generally respects the human rights of its citizens; however, problems remain in some areas, despite some improvements. The police at times physically and verbally abused detainees, although human rights groups report that the number of such cases continued to decline. Under the Social Surveillance Law, some released prisoners still are required to report to the police when moving or traveling. The use or threatened use of the National Security Law (NSL) continued to infringe upon citizen's civil liberties, including the right to free expression. For the first time, a foreign citizen was convicted under the NSL. Domestic violence, rape, and child abuse remained serious problems, and there was insufficient legal redress for dealing with them. Women continued to face legal and societal discrimination. Ethnic minorities, very small in number, face legal and societal discrimination. Trafficking in persons was a problem; the country is considered a major transit point for alien smugglers, including traffickers of primarily Asian women and children for the sex trade and domestic servitude. President Kim stated repeatedly that promoting the rights of women was a priority goal. As part of this effort, the Ministry of Gender Equality was established in January to deal with issues including women's rights, violence against women, and discrimination against women. In April the Government created a National Human Rights Commission to investigate allegations of rights violations. Another commission set up by the Government to investigate the arrests and deaths of prodemocracy activists under previous military-backed governments made its first determination of a case of extrajudicial killing.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of arbitrary or unlawful deprivations of life committed by the Government or its agents.

To investigate and redress complaints that officials of past military governments had tortured and killed prodemocracy activists, the Government enacted the Special Act on the Investigation of Suspicious Deaths. As a result of this legislation, in August 2000 a nine-person panel was commissioned to review cases such as the 1960 student uprising and the 1980 Kwangju civil uprising, and shed light on the circumstances surrounding the arrests and deaths of prodemocracy activists. The Commission reviewed 83 cases, and in June it determined the 1984 death of Park Young Doo in Chungsong Prison to be a case of extrajudicial killing. In September it revealed that the 1979 death of Kwangju University student Kim Joon Bae was caused by a police beating; the Commission is reviewing the possibility of charging the responsible officer.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Penal Code prohibits the mistreatment of suspects; the Government has ordered investigating authorities to protect the human rights of suspects; and allegations of abuse by authorities of those in custody for questioning continued to decline. Nonetheless police sometimes abused persons in custody. Prosecutors continued to place emphasis on securing convictions through confessions. This focus is driven by cultural factors, with confession viewed as a necessary basis for the reform and rehabilitation of convicted defendants. While the Supreme Court has ruled that confessions obtained after suspects have been deprived of sleep during an interrogation cannot be used in court, police sometimes questioned suspects throughout the night. Credible sources also reported that in some cases police verbally or physically abused suspects, including beatings, threats, and sexual intimidation in the course of arrest and police interrogation. However, human rights groups report that the number of such cases continued to decline. In 1999 the Ministry of Justice (MOJ) announced that criminal suspects, who previously had been required to wear prison garb in court, would be allowed to wear street clothes until proven guilty.

In April and June, police used force to break up demonstrations, some of which had turned violent. In a demonstration at a Daewoo factory in April, 40 demonstrators and 55 police officers were injured. The President later expressed deep regret for the excessive use of force by police in this incident. On February 19, during a previous demonstration at the Daewoo factory, the police intervened at the request of Daewoo management to prevent further destruction of company property. Arrests were made, and numerous Daewoo workers and policemen were injured.

In the past, police and security officials who abused or harassed suspects rarely were punished. However, in recent years, under the National Public Service Law and criminal law, a number of police and security officials accused of abuse or harassment have been punished or disciplined through demotion, pay cuts, and dismissal.

To investigate and redress the complaints of former detainees who claimed that officials of past military-backed governments tortured them or inflicted excessive punishments, the Government in May 2000 enacted the Special Act on the Investigation of Suspicious Deaths and the Act on the Restoration of the Honor of and Compensation for Persons Engaged in the Democratic Movement. In 2000 a panel was commissioned to review cases. In September the Commission found that the 1979 death of Kim Joon Bae was the result of a beating by the police (see Section 1.a.). The Commission also was reviewing over 2,000 cases related to restoring the honor of democracy activists and compensating them for past sufferings.

Prison conditions are Spartan, but generally meet international standards. Prison diets are adequate, but the facilities offer little protection against cold in the winter and heat in the summer. Some prisoners claim that these conditions damaged their health and that medical care was inadequate. Inmates occasionally criticized guards for using excessive force or needlessly putting prisoners in manacles.

The Government has installed heating and sanitary systems in 43 prisons and hopes to install such systems, including cooling systems, in all prisons by 2003. In 1999 the Government instituted traveling clinic teams and equipped prison clinics with X-ray machines.

Inmate access to reading materials, telephones, and television broadcasts improved significantly in recent years. Education in computers and foreign languages, occupational training programs, and an Inmate Employment Center help inmates prepare to resume normal lives. Prisoners are allowed to receive three or four visitors four times per month. Model prisoners who have served more than one-third of their sentences are

allowed unsupervised meetings with visitors and are exempt from mail censorship. Some are eligible for overnight leave. Pregnant inmates receive special treatment, including supplementary food, for the full term of their pregnancies and for an additional 6 months after giving birth. Pregnant inmates also receive prenatal care for the full term of their pregnancies. Female inmates may not be searched by male prison guards without the prior consent of the prison warden, and a female guard must be present during the search.

There is little independent monitoring of prison conditions, although representatives of human rights groups may visit certain prisoners at the discretion of the prison warden. Among the mandates of the newly established National Human Rights Commission are the inspection of prisons and recommendations for improvement of conditions.

d. Arbitrary Arrest, Detention, or Exile

Laws regarding arrest and detention often are vague, and prosecutors have wide latitude to interpret them. For example, the National Security Law (NSL) defines espionage in broad terms and permits the authorities to detain and arrest persons who commit acts viewed as supporting North Korea, and therefore deemed dangerous to the country. Specifically, the NSL permits the imprisonment for up to 7 years of anyone who "with the knowledge that he might endanger the existence or security of the State or the basic order of free democracy, praised, encouraged, propagandized for, or sided with the activities of an antistate organization." The legal standard for knowing that one might endanger the security of the State is vague. Consequently, in addition to those arrested on suspicion of spying for North Korea, a number of persons have been arrested for what appeared to be the peaceful expression of opposing views that the Government considered pro-North Korean or antistate. Among those arrested under the NSL are those who praised North Korea, its former leader Kim Il Sung, or North Korea's "self-reliance" or "juche" philosophy.

In February a foreign citizen was arrested and charged with violating the NSL. Involvement in publishing a book on North Korean leader Kim Jong Il's reunification strategy, contact with allegedly pro-North Korean figures abroad, actions allegedly carried out overseas, and travel to North Korea formed the basis for prosecution. In July he was convicted of violating NSL Articles 7 (praising or promoting an antigovernment organization) and 6 (escaping from Korea to receive instruction from an antistate organization and infiltrating into Korea in order to carry out an objective). He was sentenced by the Seoul District Court to 3 years' imprisonment, with the sentence suspended. In August 16 members of a group who went to Pyongyang as a delegation to an inter-Korean Independence Day Festival allegedly broke a pledge not to engage in political activities. They were arrested for violating the NSL after they attended a rally at a monument dedicated to Kim Il Sung, the former leader of North Korea, and allegedly supported the North Korean unification policy.

The U.N. Human Rights Committee has termed the NSL "a major obstacle to the full realization of the rights enshrined in the International Covenant on Civil and Political Rights." President Kim Dae-jung, who himself was arrested and sentenced to death under the NSL, acknowledged that the law has "problematic areas," and announced his intent to pursue major revisions, especially in light of improvements in relations between North and South Korea since the June 2000 North-South summit. Debate in the National Assembly on revising the NSL is ongoing. According to MOJ data, as of August, 86 persons had been arrested for violating the NSL, compared to the 154 persons arrested in the corresponding period in 2000. By year's end, 52 persons remained in custody for violating the NSL.

The Government's rationale for retaining the NSL has been that North Korea actively is trying to subvert the Government and society and that due to this special circumstance, some forms of expression must be limited to block the greater danger to freedom and democracy posed by North Korean totalitarianism. The effect sometimes is to relieve the Government of the burden of proof in a court of law that any particular speech or action in fact threatens the nation's security. For example, although the Government continues to seek to expand North-South exchanges and cooperation, in the past citizens have been prosecuted for unauthorized travel to North Korea (see Section 2.d.).

The Criminal Code requires warrants to be issued by judges in cases of arrest, detention, seizure, or search, except if a person is apprehended while committing a criminal act, or if a judge is not available and the authorities believe that a suspect may destroy evidence or escape capture if not quickly arrested. In such emergency cases, judges must issue arrest warrants within 48 hours after apprehension, or, if a court is not located in the same county, within 72 hours. Police may detain suspects who appear voluntarily for questioning for up to 6 hours but must notify the suspects' families. The police generally respected these requirements.

Authorities normally must release suspects after 30 days unless an indictment is issued. Consequently detainees are a relatively small percentage of the total prison population.

The Constitution provides for the right to representation by an attorney, and in 1999 the National Police

Agency announced that it would enforce a suspect's right to have a lawyer present during police interrogation. The Ministry of Justice announced in May 2000 that all prosecutors' offices had installed rooms where suspects could consult with their lawyers. Starting in 2000, individual police stations employed lawyers as legal advisors to aid in examining relevant legal clauses in charging suspects. There were no reports of access to legal counsel being denied. There is a bail system, but human rights lawyers say that bail generally is not granted when detainees are charged with committing serious offenses, when they may attempt to flee or harm a previous victim, or when they have no fixed address. However, in August as part of a massive tax and trade law investigation, judges allowed prosecutors to arrest the president of the newspaper Chosun-Ilbo, Bang Sang-hoon, the former honorary chairman of the newspaper Dong-A-Ilbo, Kim Byung-kwan, and the former president of the newspaper Kookmin Ilbo, Cho Hee-joon, stating that they might flee or destroy evidence if allowed to remain free (see Section 2.a.). The prominent media figures as a courtesy were given individual cells. On October 27, Kim Byung-kwan was released from prison due to ill health. On November 6, Bang Sang-hoon was released, and on November 7 Cho Hee Jun was released. At year's end, the trials of all three remained pending.

The Government does not use forced exile.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and in recent years, the judiciary has shown increasing independence. The Prosecutor's Office, which is under the jurisdiction of the MOJ, has been accused of influence peddling and cronyism, and the independence of the Prosecutor's Office (especially in cases involving government officials or political figures) is often called into question by the media and the political opposition. In late 2000, the opposition in the National Assembly alleged that the Prosecutor General and his deputy attempted to cover up lobbying activities by wives of high government officials. The President appoints the Chief Justice and most justices of the Constitutional Court. Although judges do not receive life appointments, they cannot be fired or transferred for political reasons. In June a court ruled that two members of the National Assembly must lose their seats for election law violations. Additional legislators of various parties are awaiting trial on similar charges. In July judges rejected prosecutors' request for arrest warrants for two of a group of five newspaper owners and executives (see Sections 1.d. and 2.a.).

Local courts are presided over by judges who render verdicts in all cases. There is no trial by jury. Defendants can appeal a verdict to a district appeals court and to the Supreme Court. Constitutional challenges can be taken to the Constitutional Court.

The Constitution provides defendants with a number of rights in criminal trials including the presumption of innocence, protection against self-incrimination, freedom from retroactive laws and double jeopardy, the right to a speedy trial, and the right of appeal. When a person is detained physically, the initial trial must be completed within 6 months of arrest. These rights generally are observed. Trials are open to the public, but the judge may restrict attendance if he believes spectators may seek to disrupt the proceedings.

Judges generally allow considerable scope for examination of witnesses by both the prosecution and defense. Cases involving national security and criminal matters are tried by the same courts. Although convictions rarely are overturned, appeals often result in reduced sentences. Death sentences are appealed automatically.

Human rights groups believe that many dissidents tried by past military governments during the 1970's and 1980's were sentenced to long prison terms on false charges of spying for North Korea. These persons reportedly were held incommunicado for up to 60 days after their arrest, subjected to extreme forms of torture, forced to make "confessions," and convicted after trials that did not conform to international standards for a fair trial. To investigate and redress complaints that officials of past military governments tortured former detainees, in 2000 the Government enacted the Act on the Restoration of the Honor of and Compensation for Persons Engaged in the Democratic Movements (see Section 1.c.). In 1998 the Government repealed the system by which "ideological prisoners" had to renounce their real or alleged beliefs and instituted a system by which prisoners had to sign a written promise to obey the law and pledge to recognize the Republic of Korea in order to be released from prison. Although the new system was a significant step for the Government, human rights groups criticized the requirement of a promise to obey the law, including the NSL, as tantamount to forcing citizens to renounce their beliefs. However, on the occasion of a special presidential amnesty in March 1999, 17 long-term, unconverted prisoners (persons who had refused to renounce allegiance to the DPRK and Communist beliefs), were released without having to renounce their beliefs or sign an oath of obedience. Included among these was U Yong-gak, who had served 41 years in prison following his conviction on espionage charges. However, released prisoners were required to report their activities regularly to the police. In September 2000, 63 North Korean spies, who had been released from South Korean prisons, were allowed to return to North Korea per their wishes. According to the Ministry of Justice, no long-term, unconverted prisoners remain incarcerated.

It is difficult to estimate the number of political prisoners because it is not clear whether particular persons were arrested for merely exercising the rights of free speech or association or were detained for committing acts of violence or espionage. Some human rights monitors reported that 284 persons (including 71 arrested for NSL violations) were political prisoners, with 179 still imprisoned after July. However, these monitors' definition of a political prisoner often includes all persons imprisoned for politically motivated acts, including violations of the NSL, of the Assembly of Demonstration Act, and of the Trade Union Act, and for violence or interference with official duties in the course of demonstrations or strikes. The number of political prisoners and detainees as defined by international standards appears to number under 200.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

In general the Government respects the integrity of the home and family. In the past, the security services conducted varying degrees of surveillance, including wiretaps of political dissidents. The Antiwiretap Law and the law to reform the NIS (formerly known as the National Security Planning Agency) were designed to curb government surveillance of civilians and largely appear to have succeeded. The Antiwiretap Law lays out broad conditions under which the monitoring of telephone calls, mail, and other forms of communication are legal. It requires government officials to secure a judge's permission before placing wiretaps, or, in the event of an emergency, soon after placing them, and it provides for jail terms for persons who violate this law. Revisions of the law intended to protect privacy more strictly have been submitted to the National Assembly and are under discussion. There is as yet no consensus on whether those monitored should be subsequently informed after the wiretap is discontinued, on the scope and type of crimes which require wiretapping as part of an investigation, and on the legal procedure required by investigating authorities to gain access to telephone records. Some human rights groups argue that a considerable amount of illegal wiretapping, shadowing, and surveillance photography still occurs, and they assert that the lack of an independent body to investigate whether police have employed illegal wiretaps hinders the effectiveness of the Antiwiretap Law.

Several opposition legislators have alleged that they are under surveillance by the Government and that their homes, offices, and cellular telephones are tapped. They have called for either tightening or abolishing a provision in the existing law that allows government officials to obtain retroactive judicial permission to monitor a conversation (especially a cellular telephone call) in the event of an emergency.

The Government continued to require released political prisoners to report regularly to the police under the Social Surveillance Law.

The NSL forbids citizens from listening to North Korean radio in their homes or reading books published in North Korea if the Government determines that they are doing so to help North Korea. However, in 1999 the Government legalized the viewing of North Korean satellite telecasts in private homes. The Government also allows the personal perusal of North Korean books, music, television programs, and movies as a means to promote understanding and reconciliation with North Korea.

Student groups make credible claims that government informants are posted on university campuses.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

While most political discourse is unrestricted, under the NSL the Government limits the expression of ideas that authorities consider Communist or pro-North Korean. Broad interpretations of the NSL allow for restrictions on peaceful dissent. The President continued to urge that areas of the NSL be revised to protect human rights and make the law conducive to North-South détente. The National Assembly frequently debates revision of the NSL.

Although the Government abandoned direct control over the news media, it continues to exercise indirect influence, and government officials vigorously lobby reporters and editors. During the year the Government conducted a massive tax and trade law investigation of major media firms, prompting criticism and suspicion that it was attempting to curb media criticism of the Government. The Government's response was that the tax audit was a legitimate activity and long overdue, although some government officials also mentioned the need to use the tax investigation to reform the media. Hundreds of auditors from the Tax Office, representing nearly half of the corps of auditors, spent 130 days examining the records of 23 newspapers; the audit ultimately resulted in the indictment and arrest of owners or major shareholders of three newspapers, two of which, the Chosun Ilbo and the Dong-Ah Ilbo, are the largest in the country and are viewed as among the more critical of President Kim's policies. However, even though the companies faced penalties of \$398 million, and their owners were awaiting trial for tax evasion and embezzlement, the papers continued to criticize the

Government. In September the International Press Institute and the World Association of Newspapers placed the country on a media watch list and concluded that the Government was harassing the independent media. They expressed concern that the latent threats of tax investigations against companies and pressure on advertisers could induce newspapers and broadcasters to self-censor criticism of the Government. However, in the same month the International Federation of Journalists stated that the tax probe had nothing to do with freedom of the press and that there was no evidence that freedom of the press was being suppressed.

The state-owned radio and television network maintains a considerable degree of editorial independence in its news coverage. One private television network has been accused of slanting its coverage of the media tax probe to support the Government.

Journalists allege that libel laws are used to harass publishers for articles that are unflattering but not necessarily untrue, and in the past some journalists have been arrested and jailed for libel.

Prosecutors continued to indict dissidents under the NSL for producing, selling, or distributing pro-North Korean or pro-Communist materials. Court precedents allow citizens to possess these kinds of publications for purely academic use, profit, or curiosity, but not with the intent of subverting the Government. Prosecutors have wide discretion in determining motives for possessing or publishing such materials.

There is wide reporting on North Korea and North-South issues in the media.

The Government Censorship Board, which screens movies for sex and violence, has followed more liberal guidelines in recent years and allowed the release of a broader range of films.

The Government blocks violent and sexually explicit Web sites, and requires site operators to rate their site as harmful or not harmful to youth. Some homosexual groups have charged that the Government acts discriminatorily in blocking their Web sites.

The Government respected academic freedom. However, student groups credibly claim that government informants are posted on university campuses.

b. Freedom of Peaceful Assembly and Association

The Law on Assembly and Demonstrations prohibits assemblies that are considered likely to undermine public order. The law requires that the police be notified in advance of demonstrations of all types, including political rallies, and the police must notify organizers if they consider the event impermissible under this law.

During demonstrations at a Daewoo automobile factory in April and in labor-related protest marches in June, police and demonstrators clashed. In the Daewoo incident, dozens of police and striking workers were injured, and two police chiefs subsequently were suspended and transferred. In April the President expressed deep regret for the use of excessive force by the police. In February during an earlier demonstration at the Daewoo factory, the police intervened at the request of Daewoo management, arrests were made, and numerous Daewoo workers and policemen were injured.

The Constitution provides for freedom of association, and the Government generally respects this right in practice. Associations operate freely, except those deemed by the Government to be seeking to overthrow the Government.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Most citizens can move freely throughout the country; however, police may restrict the movements of some former prisoners. Foreign travel generally is unrestricted; however, the Government must approve travel to North Korea. To obtain approval, potential visitors must demonstrate that their trip does not have a political purpose—that is, to praise North Korea or criticize the South Korean Government. During the year, the Government continued to promote the expansion of North-South government, economic, cultural, and tourism-related contacts. However, travelers to North Korea who do not receive government permission are likely to be arrested upon their return.

In the past, the Government forbade some citizens convicted of politically related crimes from returning to the country, and some citizens still face sanctions if they return.

The Government cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. Government guidelines provide for offering temporary refuge in the case of a mass influx of asylum seekers. However, procedures for receiving and adjudicating asylum applications do not always appear to be in keeping with either the letter or the spirit of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol.

The UNHCR reported the forced return of three persons to countries where they claimed to fear prosecution; each of these persons had an active asylum application being reviewed by the Government, and were deported without the knowledge of or contact with the UNHCR.

As of December, of 117 applicants decisions were made in 6 cases and 1 was granted asylum, during the year. Of 46 cases pending at the end of 2000, decisions were made in 5 cases during the year.

The Government handling of asylum applications was slow, and rejections of asylum seekers' applications greatly outnumber acceptances; however, since 1999 the Government has taken a more flexible approach toward cases under review by the UNHCR and has suspended temporarily exit orders for these individuals. It also has shown flexibility toward persons whose applications were rejected in the government review process, but whom the UNHCR found met the definition of refugee. In June 2000, the Seoul District Court held that the Immigration Office had exceeded its authority by refusing to accept an asylum seeker's application based on an initial assessment of the claim.

The Government extends the right to work to refugees, but does not provide any social assistance to either refugees or asylum seekers. Asylum seekers are given 90-day extensions of their temporary stay permits while their applications are under review and legally are not able to work during this period. In practice most asylum seekers enter the labor market, as do other undocumented foreign workers.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. The Constitution provides for the direct election of the President and, in the past, was interpreted to provide for a mixed system of direct and proportional election of legislators to the unicameral National Assembly. However, the system of proportional election was declared unconstitutional by the Constitutional Court during the year; future legislators are to be elected directly. The President serves a single 5-year term and may not be reelected. The National Assembly members serve terms of 4 years. All citizens 20 years of age or older have the right to vote, and elections are held by secret ballot.

The percentage of women in government or politics does not correspond to their percentage of the population. Because of cultural traditions and discrimination, women occupy few important positions in government, although this is slowly changing. There were two women in the Cabinet, the Minister of Environment and the Minister of Gender Equality. In the April 2000 National Assembly election, 16 female legislators were elected to the 273-seat National Assembly. One of them chairs a special committee on women's affairs.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Many domestic nongovernmental organizations (NGO's) are active in promoting human rights, and they generally operate without government restriction. Chief among these groups are the Lawyers for a Democratic Society, Sarangbang, the Human Rights Committee of the National Council of Churches in Korea, the Korean Bar Association, People's Solidarity for Participatory Democracy, and "Mingahyup," an association of the families of political prisoners. These groups publish reports on human rights and make their views known both inside and outside the country. Government officials generally have been willing to meet with international human rights groups.

During the year, the President established the National Human Rights Commission, per legislation passed by the National Assembly in April. The Commission is to monitor and investigate human rights violations and complaints of discrimination, including during interrogations and in correctional facilities. However, the Commission had not begun investigating complaints because the required presidential decrees concerning operational, structural, and staffing matters had not been written by year's end. Members of the Human Rights Commission will not be present at interrogations. Members may visit those who have been arrested and are in

custody and may visit prisons and correctional institutions.

There is little independent monitoring of prison conditions, although representatives of human rights groups may visit certain prisoners at the discretion of the prison warden.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution and law forbid discrimination on the basis of race, sex, religion, disability, or social status, and the Government respects these provisions. However, traditional attitudes limit opportunities for women and the disabled. Ethnic minorities are very small in number and face both legal and societal discrimination.

Women

Violence against women remained a problem, and some women's rights groups maintain that such violence, including spousal abuse, has worsened with the 1997 to 1998 decline of the economy. The Ministry of Gender Equality, established during the year to oversee issues related to women's rights and welfare, indicated that the number of cases of spousal abuse appears to be increasing because more women are coming forward to report abuse. The Prevention of Domestic Violence and Victim Protection Act defines domestic violence as a serious crime. Authorities can order offenders to stay away from victims for up to 6 months and to be put on probation or to see court-designated counselors. The law also requires police to respond immediately to reports of domestic violence. Women's groups praised the law as a significant step in combating domestic violence.

Rape remained a serious problem. As of October, 4,586 cases of rape had been reported, and 2,895 of the cases were prosecuted. Many rapes go unreported because of the stigma associated with being raped. The activities of a number of women's groups have increased awareness of the importance of reporting and prosecuting rapes, as well as of offenses such as sexual harassment in the workplace. The Prosecutor's office announced plans for a new system under which female prosecutors would take charge of all sex and family violence cases involving women. According to women's rights groups, cases involving sexual harassment or rape frequently go unprosecuted, and perpetrators of sex crimes, if convicted, often receive light sentences.

The Sexual Equality Employment Act was enacted to combat sexual harassment in the workplace, and went into effect in 1999. As of August, 500 cases have been filed under the Gender Discrimination Prevention and Relief Act; 43 percent of cases dealt with sexual harassment and 39 percent concerned discrimination (pregnancy, promotion, or salary). Under the law, companies can be fined up to \$2,500 (3 million won) for failing to take steps to prevent sexual harassment in the workplace or failing to punish an offender. The law also requires companies to establish in-house sexual harassment complaint centers and forbids firms from punishing employees for taking their complaints to outside organizations. In addition the Ministry of Education announced that the law's guidelines would apply at the nation's schools and that teachers who make gender-discriminatory remarks would be disciplined. As examples of gender-discriminatory remarks, the Ministry cited statements that emphasized women's traditional roles in families, stressed men's leadership in society, and encouraged female students to work for good marriages instead of embarking on a career after graduation.

The Family Law permits women to head a household, recognizes a wife's right to a portion of the couple's property, and allows a woman to maintain greater contact with her children after a divorce. Although the law helps abused women who choose to divorce, including victims of domestic violence, the stigma of divorce remains strong, and there is little government or private assistance for divorced women. These factors, plus the fact that divorced women have limited employment opportunities and have difficulty remarrying, lead some women to stay in abusive situations. The Government established some shelters for battered women and increased the number of child care facilities, giving women in abusive situations more options, but women's rights groups say that they fall far short of effectively dealing with the problem.

The country's conservative traditions have left women subordinate to men socially and economically. Despite the passage of equal employment opportunity legislation, few women work as company executives, and sexual discrimination in the workplace remains a problem. The Equal Employment Act has been revised to impose tougher penalties on companies that are found to discriminate against women in hiring and promotions. Under the law, the Presidential Commission on Women's Affairs (the precursor of the existing Ministry of Gender Equality) was granted the authority to investigate sexual discrimination cases in the workplace. A company found guilty of practicing sexual discrimination could be fined up to \$3,873 (5 million won) and have its name published in the newspaper. The law also provides for a public fund to support victims in seeking legal redress. Nevertheless some government agencies' preferential hiring of applicants with military service (nearly always men) leads to continued legal barriers against women. In 1999 the Constitutional Court ruled that government agencies' preferential hiring practices for those who have performed military service discriminated against women and disabled persons and were unconstitutional. Women have full access to education, and social

mores and attitudes are changing gradually. For example, the major political parties are making more efforts to recruit women; an increasing number of women occupy key positions within political parties; and the military and service academies continued to expand opportunities for women. With the establishment of the Ministry of Gender Equality, the Government is striving for increased employment opportunities for women and also for an enhanced role and stronger rights of women in society, while closely monitoring violations and instances of discrimination.

The Government provides an allowance of \$387 (500,000 won) per month to 142 former "comfort women" (women who, during World War II, were forced to provide sex to soldiers of the Japanese Imperial Army).

The country is a major origin and transit point for the trafficking in Asian women and children destined for the sex trade and domestic servitude (see Section 6.f.).

Children

The Government demonstrates its commitment to children's rights and welfare through its well-funded system of public education. The Government provides high-quality elementary education to all children free of charge. Education is compulsory through the age of 15, and most children obtain a good secondary education. High-quality health care is widely available to children.

As public awareness of the problem of child abuse continued to grow, the number of reported cases was increasing. According to one NGO's figures, 2,115 cases of child abuse were reported in 1999. The Seoul metropolitan government runs a children's counseling center that investigates reports of abuse, counsels families, and cares for runaway children. The Prevention of Domestic Violence and Victim Prevention Act of 1998, which defines domestic violence as a serious crime, allows a child to bring charges against a parent in cases of abuse. In July the Government enacted a revised Child Protection Law that mandates the establishment of a child abuse hot line and the dispatch of trained personnel to take preliminary measures for the protection of an abused child. Under the revised law, the Government is to establish temporary protection facilities, counseling centers, communal homes, and other appropriate protection services and facilities. Revisions also include increased penalties for convicted child abusers, who would face up to 5 years in prison (compared to the previous 2 years) for child abuse.

In 1999 the Government's Commission on Youth Protection, exercising its mandate to "regulate the circulation of harmful materials and substances and to protect youth from harmful entertainment establishments," revised the Youth Protection Law. Under the revised law, owners of entertainment establishments who hire minors under the age of 19 face prison terms of up to 10 years and a fine of \$7,747 (10 million won) per minor hired. The Commission also announced that it was expanding the definition of "entertainment establishment" to include facilities, such as restaurants and cafes, where children sometimes were hired illegally as prostitutes. In addition, as part of a campaign to eradicate child prostitution and sexual offenses against minors, the Government enacted the Child Protection against Sexual Offenses Law in 2000. It established a maximum sentence of imprisonment of 20 years for the sale of the sexual services of persons less than 19 years of age. It also established prison terms for persons convicted of the purchase of sexual services of youth under the age of 19 (see Section 6.f.). Based on this law, the Commission enforced a decree to publicize the names of those who had committed sex offenses against minors. In August the names of 169 offenders were made public.

The traditional preference for male children continues, although it is less evident among persons in their twenties and thirties. Although the law bans fetal testing except when a woman's life is in danger, when a hereditary disease would be transmitted, or in cases of rape or incest, such testing and the subsequent termination of pregnancies with female fetuses frequently occur. The Government has expressed concern about the widening disparity between male and female birth rates.

The country is a major origin and transit point for trafficking in Asian women and children destined for the sex trade and domestic servitude (see Sections 6.c., 6.d., and 6.f.)

Persons with Disabilities

Although measures aimed at creating opportunities for persons with disabilities have been taken, public facilities for their everyday care and use remained inadequate. However, there is no legal discrimination against persons with disabilities in employment, education, or the provision of other state services. The law states that "no one shall be discriminated against in all areas of political, economic, social, and cultural life on the grounds of disability."

In 1995 the Government expanded job training programs, medical benefits, and welfare facilities for disabled citizens. Firms with over 300 employees are required by law either to hire persons with disabilities or pay a fine. Surveys indicate that most companies either pay the fine or evade the law, with one 1999 survey indicating that 9 out of 10 firms with more than 300 employees failed to meet the mandated 2 percent job quota for persons with disabilities; the hiring of the persons with disabilities remains significantly below target levels. Persons with disabilities make up less than 1 percent of the work force. New public buildings are required to include facilities for persons with disabilities, such as ramp access to entrances, a wheelchair lift, and special parking spaces. The Health and Welfare Ministry has announced that existing government buildings must be retrofitted with these facilities, and, as of late 1998, 47.4 percent of public buildings and facilities had facilities for the persons with disabilities. In 1999 the Constitutional Court ruled that government agencies' preferential hiring practices for those who have performed military service discriminated against persons with disabilities and were unconstitutional.

National/Racial/Ethnic Minorities

The country is racially homogeneous, with no ethnic minorities of large size. Except in cases of naturalization, citizenship is based on parentage, not place of birth, and persons must show their family genealogy as proof of citizenship. Thus ethnic Chinese born and resident in Korea obtain citizenship only with great difficulty. Without citizenship they cannot become public servants and may have difficulty being hired by some major corporations. Due to legal as well as societal discrimination, many ethnic Chinese have emigrated to other countries since the 1970's. There are approximately 20,000 ethnic Chinese residents, who represent 0.05 percent of the population. In June 1998, the Government passed legislation to allow a female citizen to transmit citizenship to her child regardless of the citizenship of the child's father. Amerasians face no legal discrimination, but informal discrimination is prevalent, making it more difficult for them to succeed in academia, business, or government.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides workers with the right to associate freely, except public sector employees. Since 1999 government white-collar workers have been allowed to form workplace councils. Blue-collar workers in such government agencies as the postal service, railways, telecommunications, and the National Medical Center are allowed to organize unions. As few as two employees may form a union. Until 1997 the Trade Union Law specified that only one union was permitted at each workplace. Labor law changes in 1997 authorized the formation of competing unions starting in 2002, but implementation of these changes was postponed until 2006 by mutual agreement among members of the Tripartite Commission (with representatives of labor, management, and the Government). All unions are required to notify the authorities when formed or dissolved. According to the Ministry of Labor, in 2000 1.52 million workers, about 11.8 percent of employed workers, were union members, and there were 5,698 trade unions.

In the past, the Government did not recognize formally labor federations that were not affiliated with the country's two legally recognized labor groupings--the Federation of Korean Trade Unions (FKTU) and the Independent Korean Federation of Clerical and Financial Workers. However, in the past several years, the Labor Ministry officially recognized some independent white-collar federations representing hospital workers, journalists, and office workers at construction firms and at government research institutes. The courts have ruled that affiliation with the FKTU is not required for an entity to be registered as a legal labor federation. The legalization of the teachers' union paved the way for government recognition of the dissident Korean Confederation of Trade Unions (KCTU) in 1999. In practice labor federations not formally recognized by the Labor Ministry have operated without government interference.

The ban on teachers' unions was lifted in 1999. Accordingly the KCTU-affiliated Korean Teachers' Union (Chonkyojo) and the FKTU-affiliated Korean Union of Teachers and Educational Workers became legal. Although the two teachers' unions have the right to bargain collectively with the Ministry of Education on wages and working conditions--but not school curricula--it is illegal for the unions to take collective action. On October 10, the Korean Teachers and Educational Worker's Union staged a sit-in, during which 800 teachers took monthly or annual leave. On October 27, 10,000 teachers demonstrated in Yoi-do. At year's end, collective bargaining by both teachers unions with the Ministry of Education continued.

Election laws that apply to other social organizations regulate unions. These regulations prohibit donations by unions (and other social organizations) to political parties. Some trade unionists have temporarily resigned from their union posts to run for office. In the April 2000 National Assembly election, several candidates from the KCTU-affiliated Democratic Labor Party made unsuccessful bids for Assembly seats.

Strikes are prohibited in government agencies, state-run enterprises, and defense industries. By law unions in enterprises determined to be of "essential public interest," including public transportation, utilities, public health, banking, and telecommunications can be ordered to submit to government-ordered arbitration in lieu of striking. However, in practice the Government rarely imposes arbitration. In June workers at the two main airlines held a strike. The Government considered the strikes illegal because the workers did not go through arbitration. During the year, the Seoul District Public Prosecutor's office indicted the chairman of the Korean Federation of Transportation, Public, and Social Services Workers' Unions, Yang Kyung-kyu, on charges of leading the illegal strike at Korean Air in June. Mr. Yang was imprisoned and later released in November. The number of labor disputes has declined in recent years. According to the Korea International Labor Foundation, there were 250 strikes and lockouts, involving 178,000 workers and a loss of 1.894 million working days in 2000, the last full year for which data are available. As of December 4, there had been a total of 222 strikes, involving 72,278 workers with 805,988 working days lost, compared with 238 strikes, involving 162,508 workers with 1,768,421 working days lost for the same period in 2000. The Labor Dispute Adjustment Act requires unions to notify the Labor Ministry of their intention to strike; it mandates a 10-day "cooling-off period" before a work stoppage legally may begin and 15 days notice in public interest sectors. Labor laws prohibit retribution against workers who have conducted a legal strike and allow workers to file complaints of unfair labor practices against employers.

In July the Hankuk Ilbo newspaper's trade union completely stopped production at its head office in Seoul and at 4 other production facilities for 20 days, demanding changes in working conditions. The workers returned to the workplace following a promise of consultations with management. By year's end there had been no further progress.

In recent years, the Government has cultivated a more neutral stance in labor disputes. However, in a departure from this trend, in April police officers used force at a temporarily closed Daewoo auto factory when workers attempted to storm and occupy the plant. Some 40 demonstrators and 55 police were injured. Two police chiefs subsequently were suspended and reassigned in response to charges of excessive police use of force. The President later expressed deep regret for the excessive use of force by police in this incident (see Sections 1.c. and 2.b.). In February during an earlier demonstration at the Daewoo factory, the police intervened at the request of Daewoo management; arrests were made and numerous Daewoo workers and policemen were injured (see Sections 1.c and 2.b.). According to the KCTU, as of May 89 persons had been arrested during the year for allegedly instigating violent strikes or illegally disrupting business. KCTU chairman Dan Byung Ho and chairman of the Federation of Transportation, Public, and Social Services Workers' Unions Yang Kyung-kyu were arrested for initiating mass rallies and a general strike in June and July. Although there were several large general strikes, the Government did not punish unionists for their participation in these strikes or other mass rallies. According to the Federation of Korean Trade Unions, there are numerous cases where workers who had been fired were later reinstated because the courts ruled that their employers had engaged in unfair labor practices by firing them.

The FKTU and KCTU are affiliated with the International Confederation of Free Trade Unions. Most of the FKTU's 20 constituent federations maintain affiliations with international trade secretariats, as does the KCTU Metalworkers Council.

b. The Right to Organize and Bargain Collectively

The Constitution and the Trade Union Law provide for the right of workers to collective bargaining and collective action. This law also empowers workers to file complaints of unfair labor practices against employers who interfere with union organizing or practice discrimination against union members. Employers found guilty of unfair practices can be required to reinstate workers who were fired for union activities. In July five civil servants were summoned and investigated by the police concerning their reason for organizing a rally, but no legal action was taken against them. The Government placed no restrictions on them. The Tripartite Commission has established a subcommittee on the protection of civil servants' basic rights and has discussed the establishment of a civil servants' union.

Extensive collective bargaining is practiced, even with unions whose federations are not recognized legally by the Government. The labor laws do not extend the right to organize and bargain collectively to defense industry workers or white-collar government employees, although the Government passed legislation to allow government workers to form workplace councils beginning in 1999, including workers at state or publicly run enterprises.

There is no independent system of labor courts. The central and local labor commissions form a semiautonomous agency of the Labor Ministry that adjudicates disputes in accordance with the Labor Dispute Adjustment Law. Each labor commission is composed of equal numbers of representatives of labor and management, plus neutral experts who represent the "public interest." Local labor commissions are empowered to decide on remedial measures in cases involving unfair labor practices and to mediate and, in

some situations, arbitrate labor disputes. Arbitration can be made compulsory in sectors of the economy (for example utilities and transportation) deemed essential to public welfare.

In 1998 the Government established the Tripartite Commission, with representatives from labor, management, and the Government to deal with labor issues related to the economic downturn. The Tripartite Commission concluded an agreement that covered, among other things, unemployment policy, corporate restructuring, labor conditions, labor market flexibility, and the promotion of basic labor rights. The work of the Commission made it legal for companies to lay off workers due to economic hardship and authorized temporary manpower agencies. Disputes concerning the implementation of the agreement among labor, management, and government representatives led to the withdrawal of the KCTU representatives in 1999.

In the past, regulations forbade intervention in disputes by so-called third parties, such as labor federations not recognized by the Government. Labor laws were revised in 1997 to lift the ban on third-party intervention and allow nonrecognized federations to assist member unions involved in a strike. Under this provision, persons who assist trade unions or employers in a dispute or in the course of bargaining are required to register with the Ministry of Labor. Those who fail to do so face a large fine or a maximum sentence of 3 years' imprisonment. However, no one has been charged for failing to register since the 1997 labor law revision.

Enterprises in the two export processing zones (EPZ's) had been designated by the Government as public interest enterprises. Workers in these enterprises gradually have been given the rights enjoyed by workers in other sectors of the economy. Labor organizations are permitted in EPZ's.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including forced or compulsory labor by children, and it is not known to occur. The country is a major origin and transit point for trafficking of Asian women and children (see Section 6.f.). The Constitution provides that no person shall be punished, placed under preventive restrictions, or subjected to involuntary labor, except as provided by law and through lawful procedures. Some illegal foreign workers allege beatings, forced detention, withheld wages, and seizure of passports by their employers (see Section 6.e.).

d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Standards Law prohibits the employment of persons under age 15 without a special employment certificate from the Labor Ministry. Because education is compulsory through middle school (about age 14), few special employment certificates are issued for full-time employment. Some children are allowed to hold part-time jobs such as selling newspapers. To obtain employment, children under age 18 must have written approval from both of their parents or guardians. Employers can require minors to work only a limited number of overtime hours and are prohibited from employing them at night without special permission from the Labor Ministry. Child labor laws and regulations are clear and usually enforced when violations are found, but the Government employs too few inspectors to carry out regular inspections. In March the Government ratified International Labor Organization (ILO) Convention 182 on the worst forms of child labor.

The Government prohibits forced and bonded child labor and enforces this prohibition (see Section 6.c.). The country is a major origin and transit point for trafficking in Asian women and children (see Section 6.f.).

e. Acceptable Conditions of Work

The minimum wage is reviewed annually. As of July the minimum wage was \$1.63 (2,100 won) per hour, or \$367.67 (474,600 won) per month. Companies with fewer than 10 employees are exempt from this law. The FKTU and other labor organizations assert that the existing minimum wage does not meet the basic requirements of urban workers. In fact workers earning the minimum wage would have difficulty in providing a decent standard of living for themselves and their families, despite fringe benefits, such as transportation expenses, with which companies normally supplement salaries. However, the money an average blue-collar worker takes home in overtime and bonuses significantly raises the total compensation package. According to the Ministry of Health and Welfare, 4.2 percent of the population lived below the poverty level as of July 1999.

The Labor Standards Law provides for a maximum regular workweek of 44 hours, and provides for overtime to be compensated at a higher wage. The law also provides for a 24-hour rest period each week. Labor laws also provide for a flexible hours system, under which employers can require laborers to work up to 48 hours during certain weeks without paying overtime, so long as average weekly hours for any given 2 week period do not exceed 44. If a union agrees to a further loosening of the rules, management may ask employees to work up to 56 hours in a given week. Workers may not work more than 12 hours per working day. Labor groups claim that

the Government does not enforce adequately the maximum workweek provisions at small companies. After large strikes during the year over demands for a 40-hour workweek, the Tripartite Commission was discussing implementation of a 40-hour, 5-day workweek to be phased in gradually and plans to test the 5-day workweek in some government agencies beginning January 1, 2002, with full execution in the public sector to occur on July 1, 2002.

Foreign workers, most of whom come from China, the Philippines, Bangladesh, Nepal, Vietnam, Indonesia, Sri Lanka, and Pakistan, often face difficult working conditions. The Government sought to ameliorate the problems of illegal workers by creating a program that allowed certain foreign workers to enter the country legally to work at established wages with legal safeguards. In 2000 the Government announced that industrial trainees would be allowed to remain in the country for as long as 5 years (previously, those entering the country on trainee visas could remain for 3 years). The Government reports that approximately 23,300 foreign workers and 70,500 industrial trainees are in the country legally, and that there are an additional 220,000 illegal residents. It is difficult for illegal workers to seek relief for loss of pay or unsatisfactory living and working conditions because they face deportation. However, the Government has established counseling centers that hear complaints from illegal foreign workers about issues such as overdue wages and industrial accidents. The MOJ announced in 2000 that it would suspend deportation proceedings for illegal residents awaiting back pay. The MOJ also announced that it would establish a human rights committee for foreign workers to address mistreatment that some foreign workers face from their employers, such as beatings, forced detention, withheld wages, and seizure of passports. Finally, employers reported to abuse foreign workers would be subject to criminal charges and be disadvantaged in the Government's allocation of jobs for overseas workers. Foreign workers have submitted complaints to the Human Rights Commission, but the Commission was not fully operational. The Labor Standards Law also prohibits the abuse of workers. Foreign workers working as language teachers have complained that the language institutes that hired them frequently violated employment contracts, for which the legal system provided insufficient redress.

The Government sets health and safety standards, but the accident rate is unusually high by international standards. However, this rate has continued to decline gradually due to improved occupational safety programs and union pressure for better working conditions. Although the number of inspectors has increased from 152 in 1989 to 315 during the year, the Labor Ministry still lacks a sufficient number of inspectors to enforce the laws fully. The law does not provide job security for workers who remove themselves from dangerous work environments.

f. Trafficking in Persons

There is no single law that specifically prohibits trafficking in persons, although various statutes can be used to prosecute traffickers; trafficking is a problem.

The Republic of Korea is a country of origin, transit, and destination for trafficking in persons. Young female Koreans are trafficked primarily for sexual exploitation, mainly to the United States, but also to other Western countries and Japan. Female aliens from many countries, primarily Chinese women, are trafficked through Korea to the United States and many other parts of the world. In addition to trafficking through air, much transit traffic occurs in the country's territorial waterways by ship. There are also reports that women from Russia are trafficked to the country for sexual exploitation.

In addition the country is considered a major transit point for alien smugglers, including traffickers of primarily Asian women and children for the sex trade and domestic servitude. Relatively small numbers of Korean economic migrants, seeking opportunities abroad, are believed to have become victims of traffickers as well (see Section 5). There have been reports of the falsification of government documents by travel agencies; many cases involved the trafficking or smuggling of citizens of China to Western countries.

Various laws can be used to prosecute traffickers, including laws against kidnaping, inducement to prostitution, and laws protecting juveniles. These laws stipulate that proper security measures as well as financial assistance must be provided to trafficked victims when they report a trafficking crime.

The Criminal Code states that, "A person who kidnaps another by force or coercion for purposes of engaging in an indecent act or sexual intercourse, or for gain, shall be punished by imprisonment for not less than 1 year...this shall apply to a person who buys or sells a woman for the purpose of prostitution." The Labor Standards Law prohibits the employment of any person under 18 years of age in work that "is detrimental to morality or health." The Juvenile Sexual Protection Act that took effect in July 2000 imposes lengthy prison terms for persons convicted of sexual crimes against minors (see Section 5).

On August 29, the Supreme Prosecutor's Office established joint investigations centers in collaboration with the police force and local governments to address trafficking and inveigling of women for forcible sexual

exploitation, for the forcible transfer to foreign territory for employment in "service establishments of indecent nature," for granting illegal entry into the country for purposes of sexual exploitation, for the sale of women between prostitution establishments, and for the illegal departure from the country through fake employment or marriage overseas.

There were several convictions during the year regarding trafficking: Two convictions with 2-3 years' imprisonment for arranging illegal entry into the United States for employment in the sex industry; three convictions with 2-3 years' imprisonment for detainment and forced prostitution; and three convictions with 1 year's imprisonment for confiscating passports and airline tickets of 23 Russian and Uzbek nationals.

In May 2000, police arrested 5 persons for visa fraud for the purpose of trafficking in aliens; the group had reportedly recruited more than 1,000 persons. In November 2000, police arrested Lim Il Kwon, a citizen convicted of past alien trafficking, on charges of document fraud. He admitted to the smuggling of women to Japan and Western countries for purposes of prostitution. Police believe that Lim was responsible for the trafficking of hundreds of persons. Police also arrested another suspected trafficker who admitted document fraud for international travel. In all of 2000, 585 persons were investigated on suspicion of smuggling of persons, with 103 arrested. As of October 2001, 536 persons had been investigated, with 142 arrests. Most arrests for these types of crimes are made on charges of travel document fraud, not trafficking itself.

Various laws stipulate that appropriate facilities such as temporary shelters, counseling assistance, medical treatment, and occupational training programs provide protection and assistance to trafficking victims. There are 131 women's welfare counseling centers, 184 sexual assault counseling centers, 269 welfare facilities, 12 self-support centers, and 16 self-help support centers. In 2000 a total of 8,648 persons made use of counseling centers, and 1,411 persons made use of protection facilities. These persons include victims of violence as well as victims of trafficking.

In November the Ministry of Gender Equality and the Ministry of Justice published booklets to publicize counseling centers and protection facilities for victims trafficked into prostitution.

The Government has worked with various NGO's to develop awareness of the issue and the prevention of trafficking.